

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL -Mahabubnagar District – Pebbair (Mandal) and (Village) - O.P.No.69/1999 & batch - Sanction of decretal charges of **Rs.4,04,619/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 870

DATE:04.12.2008

Read:

From the Special Collector, LA, Bheema Project, Mahabubnagar
District Lr.No.E/PJP/951/08, dt:07.11.2008 through CCLA, AP, Hyd.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.69/1999 & batch pertaining to Pebbair (M &V) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Ac.11-27 gts of land situated at Pebbair (V) & (M) of Mahabubnagar District vide Award No.2/1999, dt:26.02.1999 by fixing the market value @Rs.36,000/- for the purpose of Excavation of U.T.at KM 40.210 of Tail channel of Left Main Canal at Pebbair (V) and (M). Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Wanaparthy in its orders dt:30.11.2001 had delivered judgments by enhancing the market value from @Rs.36,000/- to Rs.75,000/-. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyd against the orders of the Lower Court. The Hon'ble H.C has granted interim stay orders dt:13.10.2004, dt:01.03.2005 i/r of A.S.No.1115/2004 & batch for payment of half of the decretal charges. Accordingly, an amount of Rs.6,81,910/- & Rs.3,17,052/- was sanctioned against O.P.No.69/199 and batch of 918) cases except O.P.No.74/99. The same amount was deposited in the Court of Sr.Civil Judge, Wanaparthy on 11.04.2005, dt:14.08.2007. The G.P for Appeals, H.C.Buildings, Hyd has opined that the Hon'ble H.C of A.P, Hyderabad pleased to fix the compensation @Rs.75,000/- per acre for Cat No.1 and 2 and Rs.70,000/- per acre for Category No.3 earlier the Hon'ble H.C also has passed similar order. As such there are no merits to file an appeal in this case.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,04,619/- (Rupees Four lakhs four thousand six hundred and nineteen only)** in respect of O.P.No.69/1999 and batch (19 O.Ps) pertaining to Pebbair (Mandal & Village) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The amount in para (11) above, shall be debitable to the following Head of Account under “4701- SMJH – 01 – Major Irrigation – M.H.122– Jurala Project G.H.11- NSP-SH (27) – Canals and Distributaries - 530 Major works - 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.15154/Secy (W&P)/2008-1, dated 04.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar District.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyd.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.33007/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER